

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ALLEN J. HANSON, *pro se*,
Plaintiff

v.

**STATE OF RHODE ISLAND, DEPARTMENT
OF CORRECTIONS; and, CORRECTIONAL
OFFICER PANERELLO,** in their official
capacity,
Defendants

C.A. No. 1:17-cv-00598-WES-PAS

JURY TRIAL DEMANDED

**MEMORANDUM OF LAW IN SUPPORT OF STATE'S MOTION TO DISMISS
PLAINTIFF'S AMENDED COMPLAINT (ECF 61)**

NOW COME Defendants the State of Rhode Island, Department of Corrections (“RIDOC”) and Correctional Officer Panerello, in her official capacity only (“Officer Panerello”) (“collectively, the “State” or “State Defendants”) and hereby moves to dismiss the Second Amended Complaint (ECF 61) of Plaintiff Allen J. Hanson (“Plaintiff” or “Hanson”), in the above-captioned civil action, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. A Memorandum of Law is attached hereto in support of the State’s Motion to Dismiss.

WHEREFORE, the State respectfully requests this Honorable Court dismiss the Second Amended Complaint (ECF 61) with prejudice for the reasons set forth herein.

Respectfully Submitted,

STATE OF RHODE ISLAND,
DEPARTMENT OF CORRECTIONS; and
CORRECTIONAL OFFICER
PANERELLO, in their official capacity
By:

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Justin J. Sullivan

Justin J. Sullivan (Bar No. 9770)
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the within document was filed via the ECF filing system on Tuesday, March 10, 2020 and that it is available for viewing and downloading. I further hereby certify that I mailed a copy of the foregoing document by United States mail, postage prepaid, on Tuesday, March 10, 2020 to:

Allen J. Hanson (Inmate ID #129924)
Adult Correctional Institute – Maximum Security
P.O. Box 8273
Cranston, RI 02920

/s/Justin J. Sullivan
